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4 Attorneys for STATE OF ARIZONA

5 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

6 IN AND FOR THE COUNTY OF YAVAPAI

7 STATE OF ARIZONA,

8 Plaintiff,

9 vs.

10 STEVEN CARROLL DeMOCKER,

11 Defendant.

Cause No. P1300CR0020081339

Division 6

CERTIFICATE OF JUDGE  
REQUESTING ATTENDANCE OF  
OUT-OF-STATE WITNESS

12  
13 I, Thomas B. Lindberg, Judge of the Superior Court of the State of Arizona, in and for the  
14 County of Yavapai, a Court of Record, DO HEREBY CERTIFY:

- 15  
16 1. That on February 6, 2009, and Indictment was filed charging, STEVEN CARROLL  
17 DEMOCKER, with one (1) count First Degree Murder, a class 1 felony, and one (1)  
18 count First Degree Burglary, a class 2 felony, in CR 2008-1339.  
19  
20 2. That in conjunction with said prosecution, there is now pending a probable cause  
21 hearing regarding death penalty aggravators to commence on October 20, 2009, in the  
22 Superior Court of the State of Arizona in and for the County of Yavapai.  
23  
24 3. That the undersigned is informed by Affidavit of Joseph C. Butner, Deputy County  
25 Attorney of the County of Yavapai, State of Arizona, of his request for attendance of  
26 an out-of-state witness in said proceeding, to-wit: TWILA GRAHAM and that she be  
required to bring with her: 1) any and all records of accounts including monthly

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OCT 02 2009

DIVISION 6

SUPERIOR COURT  
YAVAPAI COUNTY, ARIZONA

2009 SEP 28 PM 3:44

JEANNE THOMS, CLERK

Shaunna Kelbaugh

BY:

1 account statements, signers on account, beneficiaries, for Virginia Carol Kennedy,  
2 date of birth July 25, 1954, from January 1, 2007 through and including September 30,  
3 2008, including all distributions made during the afore mentioned time frame and the  
4 amount in the account at the time the account was closed; 2) any and all emails and  
5 other interoffice communication regarding the accounts of Virginia Carol Kennedy,  
6 date of birth July 25, 1954, directed to TWILA GRAHAM or the Nashville, Tennessee  
7 UBS office from the Prescott, Arizona or Phoenix, Arizona UBS Office AND any and  
8 all emails or other interoffice communication from TWILA GRAHAM or the  
9 Nashville, Tennessee office to the Prescott, Arizona or Phoenix, Arizona UBS Office  
10 INCLUDING AN AUGUST 28, 2008, EMAIL FROM LIZ MINNARD FOM THE  
11 PHOENIX, ARIZONA UBS OFFICE TO TWILA GRAHAM AND/OR THE  
12 NASHVILLE, TENNESSEE UBS OFFICE, from January 1, 2007 through and  
13 including September 30, 2008.

- 14
- 15
- 16 4. Said witness is necessary and material and required by the State of Arizona to appear
- 17 at said hearing commencing on October 20, 2009. Her anticipated testimony date is
- 18 October 20, 2009.
- 19
- 20 5. That the witness's attendance and testifying in the prosecution will not cause undue
- 21 hardship to said witness.
- 22
- 23 6. That the said witness will be required to travel a total of 2 days and attend court as a
- 24 witness at said probable cause hearing for 1 day making a total of 3 days.
- 25
- 26 7. That if the said witness is subpoenaed or summoned to attend and testify in this State,
- she shall be provided a ticket for round trip air travel and the sum of \$15.00 for

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Prescott, AZ 86301

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1 necessary and reasonable travel at either end of the flight, as required by A.R.S. 13-  
2 4093(C).

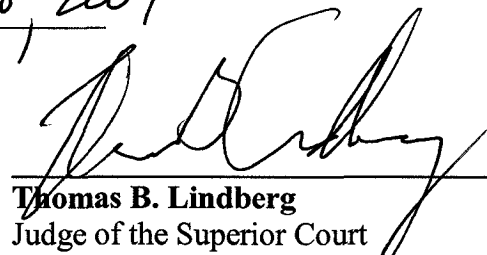
3 8. That the State of Arizona has enacted and is a party to the Uniform Act to Secure the  
4 Attendance of Witnesses From Without the State in Criminal Proceedings, pursuant to  
5 A.R.S. 13-4093.

6  
7 9. That if the said TWILA GRAHAM comes into the State of Arizona in obedience to a  
8 subpoena *duces tecum* or summons directing her to attend and testify for the State of  
9 Arizona in the above entitled action the law of the State of Arizona (A.R.S. 13-4093)  
10 and of any other state through which said witness may be required to pass by the  
11 ordinary course of travel to attend the said trial, will give her protection from arrest, or  
12 the service of process, either civil or criminal, in connection with matters which arose  
13 before her entrance into said State of Arizona pursuant to said subpoena or summons.

14  
15 10. That it is recommended that the witness not be taken into custody, but be permitted to  
16 voluntarily present herself.

17 11. That this Certificate is made for the purpose of being presented to a Judge of the  
18 Circuit Court for 20<sup>th</sup> Judicial District, in and for the County of Davidson, State of  
19 Tennessee where the said witness now is, upon proceedings to compel the said witness  
20 to attend and testify in said proceedings in Yavapai County, State of Arizona.

21 DATED: September 28, 2009

22  
23  
24   
25 **Thomas B. Lindberg**  
26 Judge of the Superior Court